

REMARKS

The Examiner is requiring restriction in the above-referenced application as follows:

- Group I: Claims 3-7, drawn to a polynucleotide encoding SEQ ID NO: 1;
- Group II: Claims 10-14, drawn to a polynucleotide encoding SEQ ID NO: 2;
- Group III: Claims 17-23, drawn to a polynucleotide encoding SEQ ID NOs: 1 and 2;
- Group IV: Claims 29-33, drawn to a method of inducing apoptosis with the polypeptide SEQ ID NO: 1 linked to the polypeptide SEQ ID NO: 2;
- Group V: Claims 34-41, drawn to a method of screening for peptides capable of inducing apoptosis utilizing a peptide linked to SEQ ID NO: 2;
- Group VI: Claims 42, 43 and 50, drawn to the polypeptide SEQ ID NO: 3;
- Group VII: Claims 44-49, drawn to a polynucleotide encoding SEQ ID NO: 3;
- Group VIII: Claims 51-54, drawn to a method of inducing apoptosis with the polypeptide SEQ ID NO: 3;
- Group IX: Claims 55-59, drawn to a method of screening for peptides capable of inducing apoptosis utilizing SEQ ID NO: 3;
- Group X: Claim 60, drawn to a monoclonal antibody that binds DEN-1 M protein;
- Group XI: Claim 61, drawn to a monoclonal antibody that binds DEN-2 M protein;
- Group XII: Claim 62, drawn to a plasmid deposited at the CNCM under the accession number I-2684;
- Group XIII: Claim 63, drawn to a plasmid deposited at the CNCM under the accession number I-2686;
- Group XIV: Claim 64, drawn to a plasmid deposited at the CNCM under the accession number I-2685; and
- Group XV: Claim 65, drawn to a plasmid deposited at the CNCM under the accession number I-2475.

Applicants have provisionally elected, with traverse, Group VI: Claims 42-43 and 50, drawn to the polypeptide SEQ ID NO: 3, for further prosecution.

• Application No. 10/634,895
Reply to Restriction Requirement of November 29, 2005

Applicants traverse the Restriction Requirement on the grounds that a search of all the claims would not present an undue burden.

MPEP subsection 803 states:

If the search and examination of an entire application can be made without a serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

Applicants respectfully submit that having to search all the claims would not impose a serious burden on the Office. Withdrawal of the Restriction Requirement is requested.

Finally, Applicants note that MPEP §821.04 states:

If the Applicant elects claims directed to the product, and a product claim is subsequently found allowable, withdrawn process claims which depend from or otherwise include all the limitations of the allowable product claim will be rejoined.

Applicants respectfully submit that should the elected Group be found allowable, the non-elected process claims should be rejoined.

Applicants submit this application is now in condition for examination on the merits and early notification of such action is earnestly solicited.

Respectfully submitted,

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